

Hon. Robert J. Bryan

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

LAWRENCE HARTFORD; DOUGLAS
MITCHELL; BRETT BASS; SPORTING
SYSTEMS VANCOUVER, INC.; SECOND
AMENDMENT FOUNDATION; AND
FIREARMS POLICY COALITION, INC.,

Plaintiffs,

v.

BOB FERGUSON, in his official capacity as
Washington State Attorney General; JOHN R.
BATISTE, in his official capacity as Chief of the
Washington State Patrol; JOHN GESE, in his
official capacity as Sheriff for Kitsap County,
Washington; CLAYTON MYERS, in his official
capacity as Sheriff for Kittitas County,
Washington; JOHN HORCH, in his official
capacity as Sheriff for Clark County,
Washington; ADAM FORTNOY, in his official
capacity as Sheriff for Snohomish County,
Washington; CHAD M. ENRIGHT, in his
official capacity as County Prosecutor for Kitsap
County, Washington; GREG ZEMPEL, in his
official capacity as County Prosecutor for
Kittitas County, Washington; TONY GOLIK,
in his official capacity as County Prosecutor for
Clark County, Washington; and JASON
CUMMINGS, in his official capacity as County
Prosecutor for Snohomish County, Washington,

Defendants.

No. 3:23-cv-05364-RJB

DECLARATION OF
DANIEL MITCHELL
IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION

1 I, Daniel Mitchell, declare as follows:

2 1. I make this declaration in support of my Motion for Preliminary Injunction. I am
3 over the age of 18, have personal knowledge of the matters stated herein and, if called upon, I could
4 and would competently testify thereto.

5 2. I am a member of both member of Second Amendment Foundation and Firearms
6 Policy Coalition, Inc.

7 3. I am the principal of Sporting Systems Vancouver, Inc.

8 4. Annually, Sporting Systems Vancouver, Inc. sold hundreds of semiautomatic rifles
9 in the models, styles, and types, the transfer of which were recently banned in the state of
10 Washington.

11 5. Prior to the ban, Sporting Systems Vancouver, Inc. did substantial business selling
12 those firearms.

13 6. But for the recently enacted ban on transfer of those firearms, Sporting Systems
14 Vancouver, Inc. would continue to make such sales.

15 7. However, because I fear prosecution by Defendants if Sporting Systems
16 Vancouver, Inc. did make any such sales, and because I fear a ruinous civil damages claim under
17 the Washington Consumer Protection Act, Sporting Systems Vancouver, Inc. cannot do so while
18 the ban remains in force.

19 8. I am prepared to testify to the foregoing at trial of this matter.
20 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury of the laws of the United States
21 that the foregoing is true and correct.

22 Signed this 3rd day of May, 2023, at VANCOUVER WASHINGTON.

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25 Daniel Mitchell
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